

**BOARD OF COUNTY COMMISSIONERS
Agenda Item Summary**

Meeting Date July 14, 2004 **Division** **County Attorney**

AGENDA ITEM WORDING

Public hearing of an ordinance establishing a dog park at Higgs Beach County Park of Key West.

ITEM BACKGROUND

PREVIOUS RELEVANT BOCC ACTION

Approval to advertise for one public hearing at the April 21, 2004 meeting. At that meeting this item was tabled. It was re-advertised for public hearing at the July 14, 2004 meeting.

CONTRACT/AGREEMENT CHANGES

STAFF RECOMMENDATIONS

Approval.

TOTAL COST	BUDGETED	Yes	No
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COST TO COUNTY	SOURCE OF FUNDS
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APPROVED BY: County Attorney ■ OMB/Purchasing ! Risk Management !

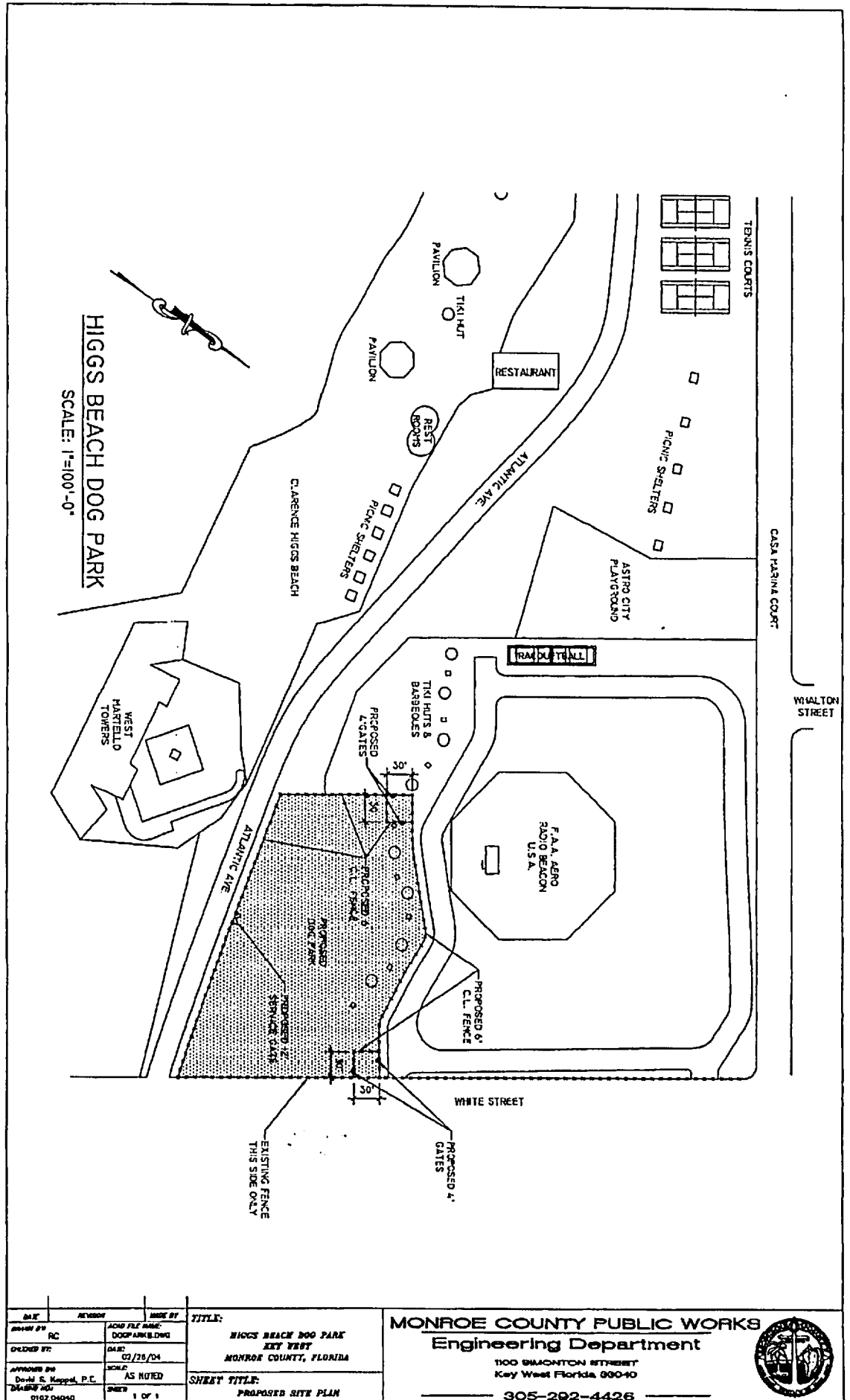
DIVISION DIRECTOR APPROVAL:


JOHN R. COLLINS

DOCUMENTATION: Included ! To Follow ! Not Required !

AGENDA ITEM # T.3

EXHIBIT A



DATE		REVISION	MADE BY	TITLE:	MONROE COUNTY PUBLIC WORKS Engineering Department 1100 SWAMONTON STREET Key West Florida 33040 305-292-4426
DRAWN BY		RC	ACAD FILE NAME: DOOPARKBLDNG	HIGGS BEACH DOG PARK	
CHECKED BY:		DATE:	02/26/04	KEY WEST	
APPROVED BY:		SCALE:	AS NOTED	MONROE COUNTY, FLORIDA	
DRAWN BY:		DATE:	0102.04040	SHEET:	1 OF 1
SHEET TITLE:					PROPOSED SITE PLAN

ORDINANCE NO. - 2004

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, ADDING SEC. 13.5-5 (p), MONROE COUNTY CODE, IN ORDER TO ESTABLISH A DOG PARK AT HIGGS BEACH COUNTY PARK OF KEY WEST; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board Of County Commissioners Of Monroe County, Florida, have received a request to establish a dog park at Higgs Beach, in the City of Key West, Monroe County, Florida; and

WHEREAS, Key West is well known as a dog friendly town; and

WHEREAS, it is not uncommon for dogs to go to work with their owners in Key West; and

WHEREAS, many Key West open air dining and drinking establishments welcome dogs with their owners and even provide water for their canine visitors; and

WHEREAS, restrained dogs are allowed in some of the local parks frequented by toddlers and the elderly who are susceptible to injury from unrestrained dogs; and

WHEREAS, a dog park would provide the following benefits: a specific safe place for dogs to play, preventing dog infringement and waste in other areas, owners monitoring pet waste clean-up, requirement of proof of vaccinations and licenses to enhance compliance with County Codes, and users of the park may deter crime in neighboring areas; now therefore

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. Sec. 13.5-5, Monroe County Code is hereby amended by the addition of the following:

- (p) A dog park may be established at Higgs Beach, Monroe County, Florida, located as set forth in attachment A, provided that said park shall meet the following minimum requirements:
 - (i) There shall be a fence four to six feet high with a minimum access of a double entry gate and one maintenance gate.
 - (ii) There shall be an area partitioned off for use by small dogs (under 25 pounds).
 - (iii) There shall be a waste disposal station with plastic bags and a covered garbage can by each entry gate.
 - (iv) Lighting and water utilities shall be provided.
 - (v) There shall be signage with rules for park use. Such rules shall include, but not be limited to:
 - (A) Owners must clean up after pets and properly dispose of waste.
 - (B) Pets exhibiting aggressive behavior or creating a nuisance must be immediately removed from the park.

- (C) Children under age 6 are not allowed. Children under 16 must be accompanied by an adult.
- (D) All dogs must have current rabies vaccinations and County licenses and be wearing their tags while in the park.
- (E) Dogs in heat, ill and having excessive fleas, ticks, or other internal or external parasites are not allowed.
- (F) All dogs must be accompanied at all times by an adult human owner or handler.
- (G) There shall be no more than three dogs per owner or handler per visit.
- (H) Puppies under 4 months are not allowed.
- (I) If a dog digs, the dog must be stopped immediately and the owner/handler must fill the hole.
- (J) Park gates may not be left open at any time.
- (K) No rollerblades, skateboards, or bicycles are allowed in the dog park.
- (L) The hours shall be from 6 am to 11 pm daily.
- (M) The County Commission may establish additional rules governing the dog park by further ordinance.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 5. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the _____ day of _____, 2004.

Mayor Murray Nelson
 Mayor Pro Tem David Rice
 Commissioner Charles McCoy
 Commissioner George Neugent
 Commissioner Dixie Spehar

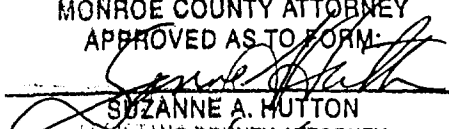
(SEAL)
 Attest: DANNY L.KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS
 OF MONROE COUNTY, FLORIDA

By _____
 Deputy Clerk

By _____
 Mayor/Chairperson

jordParkHiggsDogs

MONROE COUNTY ATTORNEY
 APPROVED AS TO FORM:

 SUZANNE A. HUTTON
 ASSISTANT COUNTY ATTORNEY
 Date: 2/27/04

06/30/2004 05:00 FAX 305-292-5522

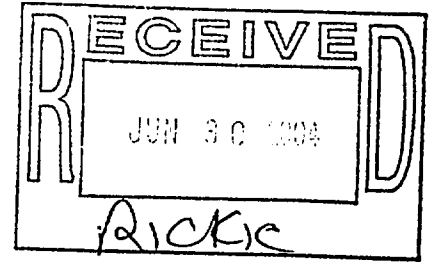
Connie Christian

5 Driftwood Terrace

Key West, FL 33040

Telephone (305) 923-7562

Facsimile (305) 292-5522



June 30, 2004

Dent Pierce
Director, Monroe County Public Works
1100 Simonton Street, Room 2-231
Key West, FL 33040

VIA FACSIMILE #305-292-4558

RE: July 14th Monroe County BOCC Agenda Item

I would like to request an agenda item be added to the July 14, 2004 Monroe County Board of County Commissioners' meeting to be held in Key West.

I would like to request Board approval for the addition of fencing, a water source, and posted rules of use to open spaces at Higgs Beach County Park on the open spaces lying southerly and easterly of the fence surrounding the FAA tower parcel, as was designated as an off-leash pet area by County Ordinance 30-2001. Please be advised that sufficient funds have been raised through private donations from the community to fund this project. Following is a diagram showing the proposed fencing for further clarification.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

Connie Christian

